

REMARKS

In the **final** Office Action of July 9, 2010 the Office noted that claims 1-6 and 9-24 were pending and rejected claims 1-6 and 9-24. In this amendment claim 1 and 22 have been amended, claims 5 and 23 have been cancelled, claims 25-27 are new, and, thus, in view of the foregoing claims 1-4, 6, 9-22 and 24-27 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claims 1-6, 9, 10 and 18-21 stand rejected under 35 U.S.C. § 103(a) as being obvious over Shinzaki, U.S. Patent Publication No. 2003/0005310. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Claim 1 has been amended to recite "[a] secure electronic entity, adapted to be connected to a host station **and synchronization means adapted, upon receipt of a message from said host station, to store a value in a register**, said secure electronic entity containing means for measuring time and comprising means for certifying a date of receipt of a command from said host station, wherein said certification means receives from said time measuring means information on elapsed time and produces data certifying said date intended for an external

entity in reference to said information on elapsed time **and to said value.**" (Emphasis added) Support for the amendment may be found, for example, in page 9, line 32 to page 10, line 10 in the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of claim 1.

Shinzaki does not include the use of a value or reference time stored in a memory or register in order to determine the current time and to accordingly produce the data certifying this current time.

Thus, it is submitted that claim 1 and the claims dependent therefrom are not obvious over Shinzaki.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being obvious over Shinzaki in view of Kim, U.S. Patent Publication No. 2003/0075609. The Applicants respectfully disagree and traverse the rejection with an argument.

Claim 5 is allowable as being dependent from an allowable base claim as discussed above.

Claims 11-17 and 22-24 stand rejected under 35 U.S.C. § 103(a) as being obvious over Shinzaki in view of Horvat, U.S. Patent No. 7,036,018. The Applicants respectfully disagree and traverse the rejection with an argument.

Horvat adds nothing the deficiencies of Shinzaki as applied against the independent claim. Therefore, Shinzaki and Horvat, taken separately or in combination, fail to render obvious the features of claims 11-17.

Claims 1, 2, 4, 5, 9 and 10-21 stand rejected under 35 U.S.C. § 103(a) as being obvious over Horvat, U.S. Patent No. 7,036,018. The Applicants respectfully disagree and traverse the rejection with an argument.

Horvat does not include the use of a value or reference time stored in a memory or register in order to determine the current time and to accordingly produce the data certifying this current time.

This is because the capacitive timekeeper used in Horvat is meant to measure a predetermined length of time, during which calls to a security function should not exceed a given threshold (see col. 2, lines 29-34 and col. 5, lines 38-45). In view of this mere need in Horvat to measure a predetermined length of time, there is no suggestion or motivation for a person of ordinary skill in the art to consider in addition a stored value or reference time when determining a current time or data certifying it.

For at least the reasons discussed above, Horvat fails to render obvious the features of claim 1 and the claims dependent therefrom.

With regards to claims 22-24 the Office asserts "[t]he semiconductor memory/NVM/ROM is interpreted as the memory storing time information."

However, this assertion contradicts the actual disclosure of Horvat: the semiconductor memories (non-volatile

memory NVM or read-only memory ROM) are used in Horvat to implement the usage counter 2 incremented or decremented "whenever the safety function is called" (see col. 2, lines 24-30, col. 3, lines 26-48 and col. 5, lines 55-58). This usage counter is clearly not meant to measure elapsed time.

The timing device or timekeeper 3, "provided as a separate circuit block" (see col. 2, lines 24-30 and col. 6, lines 7-8), is on the other hand never implemented as a memory but as a charge storage device (analog construction) or as a counter (digital construction), see col. 2, lines 52-60.

Horvat thus fails to teach the use of a memory to store time information.

Applicants additionally submit that the combination of Shinzaki and Horvat fails to disclose the features of claim 1.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Claims 25-27 are new. Support for claims 25-27 may be found, for example, in the beginning of page 12 of the Specification. The Applicants submit that no new matter is believed to have been added by the addition of the claims. The Applicants submit that the prior art of record fails to disclose the features of the added claims.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1-4, 6, 9-22 and 24-27 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The fee of \$52.00 for the 1 extra dependent claim is being paid online simultaneously herewith by credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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